

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

PARTNER AND PARTNER, INC.,

Plaintiff,

Case No. 05-74499

v.

District Judge Denise Page Hood  
Magistrate Judge R. Steven Whalen

EXXONMOBIL OIL CORPORATION,

Defendant.

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**AMENDED ORDER GRANTING MOTION TO COMPEL**

Before the Court is Plaintiff's Motion to Compel Production of Documents from Non-Party Fenkell Stop Plus, Inc. [Doc. 27]. Having reviewed the Motion and subpoena, the Court finds that Plaintiff has fully complied with Fed.R.Civ.P. 45(b), and that Fenkell Stop Plus, Inc. was personally served with said subpoena. Accordingly,

Plaintiff's Motion to Compel [Doc. 27] is hereby GRANTED.

Fenkell Stop Plus, Inc. and its president, Samir Agemy, shall comply with the subpoena by producing the documents listed in the attachment to the subpoena within 14 days of the date of this order. The documents shall be delivered to the office of Plaintiff's attorney.

If Fenkell Stop Plus, Inc., through its president, Samir Agemy, does not produce said documents as required by this Order, Mr. Agemy will be subject to contempt of court

sanctions. Those sanctions may include monetary penalties as well as Mr. Agemy's imprisonment until the subpoena and this Court's Order is complied with.

Plaintiff shall send a copy of this Order to Fenkell Stop Plus, Inc. by certified mail.

SO ORDERED.

S/R. Steven Whalen  
R. STEVEN WHALEN  
UNITED STATES MAGISTRATE JUDGE

Dated: December 8, 2006

#### CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing order was served on the attorneys and/or parties of record by electronic means or U.S. Mail on December 8, 2006.

Copies were also mailed to the following addresses:

Fenkell Stop Plus, Inc.  
21500 Fenkell  
Detroit, MI 48223

Samir Agemy  
c/o Fenkell Stop Plus, Inc.  
21500 Fenkell  
Detroit, MI 48223

S/G. Wilson  
Judicial Assistant